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ABSTRACT

Rather than purporting to be a definitive study in data gathering techniques for federal and state regulatory agencies, this paper is a systems approach for gathering data for affirmative action utilization availability analysis and for setting goals and time tables at a large university. The system is essentially for a large university setting but could be adapted to other types of educational institutions. The section dealing with laws and orders regarding equal employment opportunity offers a modicum and synthesis of most of the mandates, executive orders, and acts that offer guidelines and pertinent information. The systems and PERT charts are given with sufficient detail for in-depth study. It is hoped that the paper will provide a basic understanding of the complexities involved in gathering data for federal and state regulatory agencies dealing with affirmative action. (Author/LBH)

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IMPLEMENTATION OF A SYSTEM FOR GATHERING DATA FOR THE PURPOSE OF CONDUCTING AN AFFIRMATIVE ACTION UTILIZATION AVAILABILITY ANALYSIS AND SETTING OF GOALS AND TIME TABLES AT A LARGE UNIVERSITY

Richard G. Rivas

Spring 1976

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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Introduction

Under Public Laws 88-352, Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, all institutions of higher education both public and private that have 15 or more employees are required to keep records and to make such reports biennially to the Equal Employment Opportunity Commission as are specified in the regulation of the Commission.

Until the 1972 amendments, Title VII did not apply to educational and the Equal Pay Act did not cover professional and administrative personnel. Although employment discrimination has been ruled by courts to be prohibited by the Civil Rights Acts of 1866 and 1870 and the Equal Protection Clause of the 14th Amendments to the constitution, this spectre persists to plague not only the private sector but also plague our most 'sacred cow' -- our educational system.

It is hoped that through a utilization availability analysis it will be possible to identify some of the major areas of under-utilization and through the setting of serious measurable goals and reasonable time tables for achieving them that the problem of under-utilization can gain the attention needed to rectify the problem. The main purpose of a systems approach to gather data should be to develop goals and time tables to target on utilization of minorities, males, and females in each area where under-utilization has been identified.

The following report is an attempt to systematize and to establish a 'system' approach toward facilitating the herculean task of gathering data to implement a utilization availability analysis and to set goals and time tables at a large university.

Objectives

1. To establish a strong institutional policy and commitment toward equal employment opportunities

2. Analyze present work force to identify job, department, and units where minorities and females are under-utilized
3. To set specific measurable attainable hiring and promotion goals with target data, in each area of under-utilization
4. Review and revise all employment procedures to assure that they do not have discriminatory effect and that they help attain goals
5. Focus on getting minorities and females in upward mobility and relevant training tracts where they had no previous access
6. Develop systems to monitor and measure progress regularly
7. To determine sexual make up, ethnic origin, rank, and level of employment of faculty, administrators, and staff of the institution in order to determine under-utilization of minorities and females
8. To set goals and time tables for one and three year periods
9. To prepare all needed data for federal and state regulatory agencies
10. To determine where policies and practices have had the effect of denying equal employment opportunities and benefits to certain groups of persons on a discriminatory basis
11. To identify where over concentration of certain groups occupy the work force.

Basic Assumptions

1. The setting for the implementing of the 'system' in a large university.
2. The university upon acceptance of this utilization availability analysis and goals and time tables will take positive action to correct any deficiencies.
3. A computer system for setting up and gathering data for the purpose of conducting an affirmative action utilization availability analysis exists at the university.

4. The institution's philosophy, goals, and objectives are in accord with the affirmative action's philosophy, goals, and objectives.
5. The affirmative action staff involved in the utilization availability analysis is experienced and knowledgeable with the utilization availability analysis process.
6. The equal opportunity officer and his or her staff recognizes and appreciates the systems approach to the implementation of the utilization availability analysis and that it is a very practical and effective means of dealing with the complex problems encountered in the implementation of such a system.
7. The utilization availability analysis will provide the basis for the establishment of goals and time tables to correct under-utilization which may exist.
8. The flow chart activities will provide a systematic method for initiating a utilization availability analysis delivery system.

Definition of Terms

Under-utilization is defined as having fewer minorities and women in a particular occupational classification than would reasonably be expected by their availability.

Goals and Time Tables -- As part of the affirmative action obligation, Revised Order No. 4 requires a contractor to determine whether women and minorities are under-utilized in its employee work force and if that is the case to develop as a part of its affirmative action program specific goals and time tables designed to overcome that under-utilization.

Equal Opportunity Director -- The person responsible for the implementation and continuation of the philosophy, goals, and objectives of the affirmative action plan.

Equal Opportunity Staff -- The two graduates and the one undergraduate student interns working in the equal opportunity office. These interns are working on a part-time basis.

Commission -- Refers to the equal employment opportunity commission established under Title VII of the Civil Rights Act of 1964.

OFCC -- Refers to the Office of Federal Contract Compliance, U.S. Department of Labor, established to implement Executive Order 11246 (as amended).

OCR -- Refers to the Office for Civil Rights of the Department of Health, Education, and Welfare established to enforce Title VI of the Civil Rights Act of 1964 (P.L. 88-352), Title IX of the Education Amendments of 1972 (P.L. 92-318), the Comprehensive Health Manpower Training Act of 1971 (P.L. 92-157), as amended by Public Law 93-348, and the Nurse Training Act of 1971 (P.L. 92-158).

Higher Education Reporting Committee -- Representing the Commission, OCR of HEW, and OFCC for the purpose of administering this reporting system.

Workforce Analysis -- A listing of each job title as appears in applicable collective bargaining agreements or payroll records (not job group) ranked from the lowest paid to the highest paid within each department or other similar organizational unit including departmental or unit supervisor.

Prime Contractor -- Any employer having a government contract of any federally assisted construction contract or any employer serving as a depository of federal government funds.

EEO-6 -- On May 29, 1975, the Equal Employment Opportunity Commission published in final form the Higher Education Staff Information Report (EEO-6), a joint requirement of the EEOC, Office of Civil Rights, HEW, and the Office of Federal Contract Compliances. This report requires centain job groupings

within EEO-6 primary occupational activities by wage or salary intervals. To minimize workload for the university, an acceptable method of arranging data is by title, by appropriate organizational unit within these EEO-6 categories.

Utilization Analysis -- Such an analysis consists of combining non-student job titles into job groupins, determining the availability of minorities and women for each group, in light of skill requirements, recruitment area, promotable individuals, etc., and then determining if minorities and women in job groups correspond to their availability.

Affirmative Action -- Requires the contractor to do more than ensure employment neutrality with regard to race, color, religion, sex, and national origin. The employer must make additional efforts to recruit, employ, and promote qualified members of groups formerly excluded, even if that exclusion cannot be traced to discriminatory action on the part of the employer.

Equal Opportunity -- The right of all persons to work and to advance on the basis of merit, ability, and potential.

Laws and Orders Requiring Equal Employment Opportunity and Affirmative Action

1. Title VII of the Civil Rights Act of 1964 (as amended by the Equal Employment Opportunity Act of 1972).

   Title VII prohibits discrimination because of race, color, religion, sex, or national origin, in any term, condition or privilege of employment.

   The Equal Employment Opportunity Act of 1972 greatly strengthened the powers and expanded the jurisdiction of the Equal Employment Opportunity Commission (EEOC) in enforcement of this law.

   As amended, Title VII now covers:

   -- All private employers of 15 or more persons

   -- All educational institutions, public and private

   -- State and local governments

   -- Public and private employment agencies

-- Labor unions with 15 or more members

-- Joint labor-management committees for apprenticeship and training.

EEOC receives and investigates job discrimination complaints, and when it finds reasonable cause that the charges are justified, attempts, through conciliation, to reach an agreement eliminating all aspects of discrimination revealed by the investigation. If conciliation fails, the 1972 Amendments give EEOC power to go directly to court to enforce the law. Among other important strengthening provisions, the 1972 Act also provides that discrimination charges may be filed by organizations on behalf of aggrieved individuals, as well as by employees and job applicants themselves (The latter may also go to court directly to sue employers for alleged discrimination actions.)

With these new powers, EEOC legal actions against employers violating the law will increase rapidly and significantly. Five new regional litigation centers have been established, with substantial legal staff to provide more rapid and effective court action.

The certainty of increased legal action, and consistent record of court-required affirmative action to remedy discrimination found under Title VII, emphasizes the advantage to you, as an employer, of instituting an effective affirmative action program voluntarily and speedily.

2. Executive Order 11246 (as amended by Executive Order 11375).

This Order issued by the President in 1965, requires Affirmative Action Programs by all Federal contractors and subcontractors and requires that firms with contracts over $50,000 and 50 or more employees develop and implement written programs, which are monitored by an assigned Federal compliance agency.

Specific requirements for such "result-oriented" programs are spelled out in Revised Order No. 4 issued by the Office of Federal Contract

Compliance, U.S. Department of Labor. These requirements include identifying areas of minority and female "underutilization," numerical hiring and promotion goals, and other actions to increase minority and female employment in job classifications where they are currently underutilized.

Firms found not in compliance with Order No. 4 may face termination or cancellation of contracts or be barred from future contracts.

Requirements of Order No. 4 are similar to court interpretations of Title VII requirements.

3. The Equal Pay Act of 1963

Requires all employers subject to the Fair Labor Standards Act (FLSA) to provide equal pay for men and women performing similar work. In 1972 coverage of this Act was extended beyond employees covered by FLSA to an estimated 15 million additional executive, administrative and professional employees (including academic, administrative personnel and teachers in elementary and secondary schools) and to outside salespeople.

4. The Age Discrimination in Employment Act of 1967

Prohibits employers of 25 or more persons from discriminating against persons 40-65 in any area of employment because of age.

5. Title VI of the Civil Rights Act of 1964

Prohibits discrimination based on race, color or national origin in all programs or activities which receive Federal financial aid. Employment discrimination is prohibited if a primary purpose of Federal assistance is provision of employment (such as apprenticeship, training, work-study, or similar programs). Revised Guidelines adopted in 1973 by 25 Federal agencies prohibit discriminatory employment practices in all programs if such practices cause discrimination in services provided to program beneficiaries. This could be unequal treatment of beneficiaries or in

hiring or assignment of counsellors, trainers, faculty, hospital staff, social workers or others in organizations receiving Federal funds. Although Title VI does not explicitly bar sex discrimination, various Federal agencies have prohibited such discrimination in their own regulations.

6. State and Local Laws

Many state and local government laws prohibit employment discrimination. When EEOC receives discrimination charges, it defers them for a limited time period to certain state and local agencies with comparable jurisdiction and enforcement sanctions. Determination of which agencies meet this "deferral" standard is a continuing process. Procedures of these agencies and their requirements for affirmative action vary, but if satisfactory remedies are not achieved, charges revert to EEOC for resolution. In any case, employers should be familiar with requirements of their local laws.

7. The National Labor Relations Act and Related Laws

Discrimination on the basis of race, religion, or national origin may violate rights arising under these laws. It may be unlawful for employers to participate with unions in the commission of any discriminatory practices unlawful under these Acts, or to practice discrimination in a manner which gives rise to racial or other divisions among employees, to the detriment of organized union activity; or for unions to exclude individuals discriminatorily from union membership, thereby causing them to lose job opportunities, to discriminate in the representation of union members of non-members in collective bargaining, in processing of grievances, or in other respects, or to cause or attempt to cause employers to enter into discriminatory agreements or otherwise discriminate against union members or non-members.

8. Title IX, Education Amendments Act of 1972

In addition to extending coverage of the Equal Pay Act, prohibits discrimination on the basis of sex against employees or students of any educational institution receiving Federal financial aid. Provisions covering students are similar to those of Title VI of 1964 Civil Rights Act.

9. Other Laws

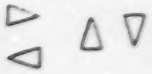
Employment discrimination has also been ruled by courts to be prohibited by the Civil Rights Acts of 1866 and 1870 and the Equal Protection Clause of the 14th Amendments to the Constitution. Action under these laws on behalf of individuals or groups may be taken by individuals, private organizations, trade unions, and other groups.

Flow Chart Symbols

Starting Point

Process or Activity

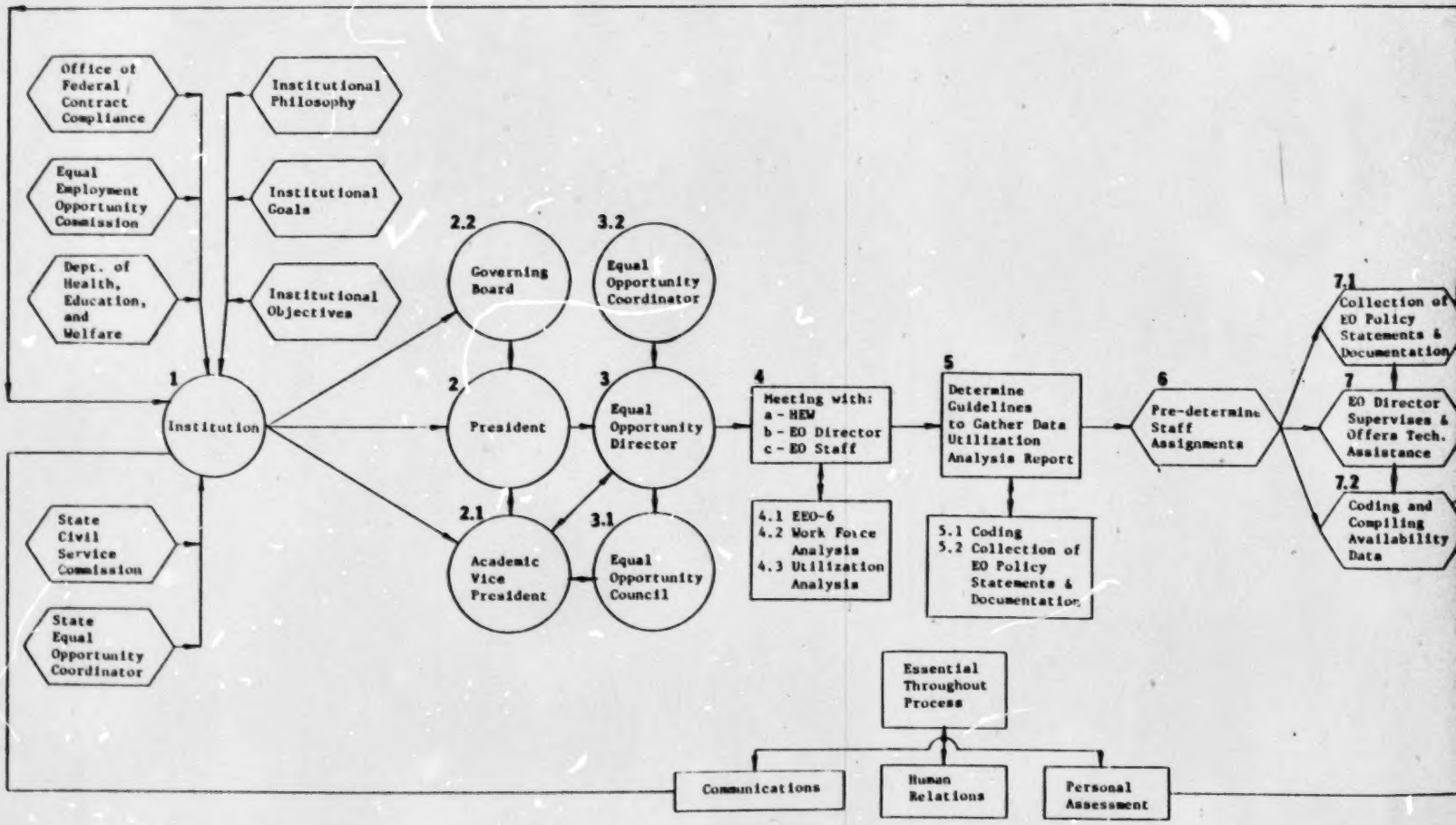
Predefined Process or Activity



Flow Direction

Cell Identification

IMPLEMENTATION OF A SYSTEM F
AFFIRMATIVE ACTION UTILIZATI
TIME T



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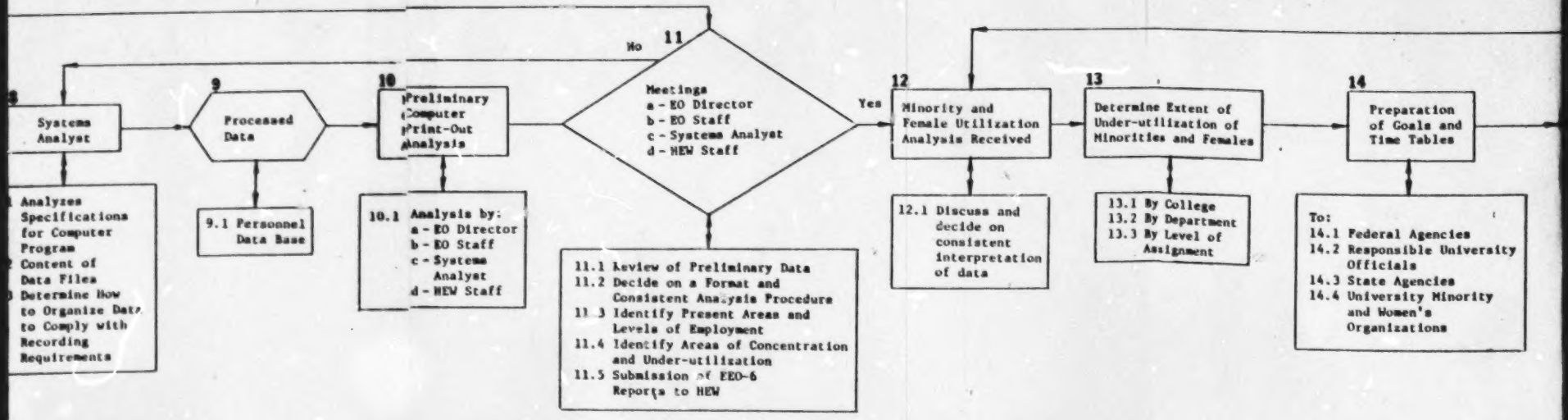
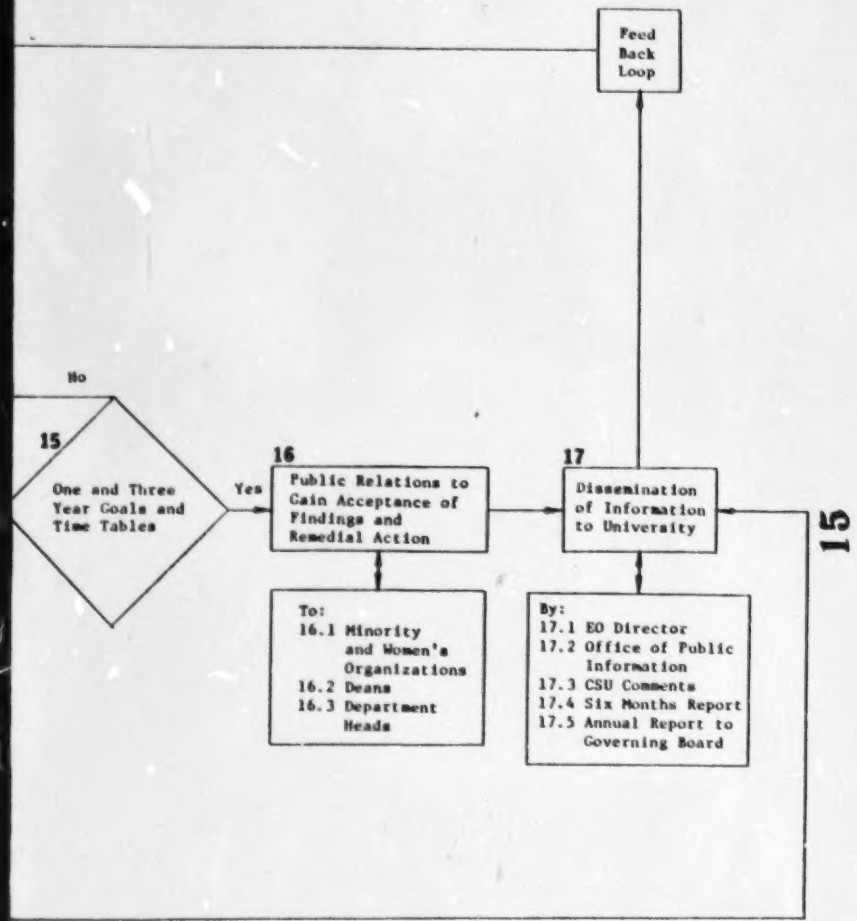
ARGE UNIVERSITY


8
Systems Analyst
1 Analyzes Specifications for Computer Program
2 Content of Data Files
3 Determine How to Organize Data to Comply with Recording Requirements
9
Processed Data
9.1 Personnel Data Base
10
Preliminary Computer Print-Out Analysis
10.1 Analysis by:
a - EO Director
b - EO Staff
c - Systems Analyst
d - HEW Staff
11
No
Meetings
a - EO Director
b - EO Staff
c - Systems Analyst
d - HEW Staff
11.1 Review of Preliminary Data
11.2 Decide on a Format and Consistent Analysis Procedure
11.3 Identify Present Areas and Levels of Employment
11.4 Identify Areas of Concentration and Under-utilization
11.5 Submission of EEO-6 Reports to HEW
Yes
12
Minority and Female Utilization Analysis Received
12.1 Discuss and decide on consistent interpretation of data
13
Determine Extent of Under-utilization of Minorities and Females
13.1 By College
13.2 By Department
13.3 By Level of Assignment
14
Preparation of Goals and Time Tables
To:
14.1 Federal Agencies
14.2 Responsible University Officials
14.3 State Agencies
14.4 University Minority and Women's Organizations


Feed Back Loop
No
15
One and Three Year Goals and Time Tables
Yes
16
Public Relations to Gain Acceptance of Findings and Remedial Action
17
Dissemination of Information to University
15
To:
16.1 Minority and Women's Organizations
16.2 Deans
16.3 Department Heads
By:
17.1 EO Director
17.2 Office of Public Information
17.3 CSU Comments
17.4 Six Months Report
17.5 Annual Report to Governing Board

Documentation of Systems

Cell 1 -- The philosophy, goals, and objectives of the institution are effected by the milue in which it exists. The factors that affect the institution's philosophy, goals, and objectives toward conducting an affirmative action utilization availability analysis, and the setting of goals and time tables are input for the setting up of the necessary conditions by the institution. Input from the President, Academic Vice President, Governing Board, Equal Opportunity Coordinator, the Equal Opportunity Council, and the Equal Opportunity Director are of prime importance to facilitate the gathering of the mandated data.

A joint reporting committee will represent the federal regulatory agencies: The Office of Civil Rights (ORC) of HEW, the Office of Federal Contract Compliance (OFCC) of the Department of Labor, and the Equal Employment Opportunity Commission (EEOC).

State regulatory agencies such as the State Civil Rights Commission and the State Equal Opportunity Coordinator will also have an effect on the types of data which will have to be gathered.

Cells 1.1, 1.2, and 1.3 -- Communications, Human Relations, and Personal Assessment are three important factors that are essential throughout the process.

Cell 2 -- It is imperative that the university's chief executive's attitude be positive toward affirmative action and should be publicized to all university personnel. The chief executive will make every effort within the authority and resources granted to him or her to insure that the institution not only complies with the law of the land but promotes and affirms in action and deeds its intent. The President receives recommendations from the EO Council and in turn recommends to the Governing Board policy relative to equal employment opportunity.

Cell 2.1 -- The EO Director reports to the Academic Vice President for the purposes of keeping him informed on the progress of the affirmative action plan. The Academic Vice President's decisions and recommendations are appealed through the President to the Governing Board.

Cell 2.2 -- All decisions and actions concerning the affirmative action plan including the system used for the gathering of data for the purposes of conducting the utilization analysis and the setting of goals and time tables must be approved by the Governing Board.

Cell 3 -- The Director shall be responsible for developing and implementing a system of internal and external communications about the program. He/she will organize and monitor a program evaluation system in order to provide the President, the Governing Board, Federal and State Regulatory Agencies with requested reports and information. Another important activity will be to coordinate and supervise the efforts of all administrative units in achieving the goals of the plan. He/she discusses with unit administrators, the establishment of reasonable goals and time tables for their unit. Identifying and informing minorities and women about recruitment sources and about employment opportunities at the institution is a prime function of the Director.

The Director receives audit reports from the Equal Opportunity Council along with reports from the Equal Opportunity Coordinators which enables the Director to evaluate the program.

Cell 3.1 -- The Equal Opportunity Council shall make policy recommendations to all groups and administration involved in the Affirmative Action Program. It shall review the action taken related to equal employment opportunity and advise the Academic Vice President and the President as to recommendations for remediation in instances where good faith actions are not apparent. The Council acts on appeals related to decisions of the Equal Opportunity Director; decisions of the Council are appealed through the President to the Governing Board.

Cell 3.2 -- The Equal Opportunity Coordinator shall be responsible for supervising the Affirmative Action Program in their unit, for data collection and submission of reports required by the Equal Opportunity Director.

Cell 4 -- A joint meeting will be held to discuss the approach to gathering the appropriate data mandated by the federal and state regulatory agencies. Three subject areas will be discussed--EEO-6, the workforce analysis, and the utilization analysis.

Cell 4.1 -- To comply with federal mandates the EEO-6 will be used as a format and guide to collect data. The work force array will be shown by salary steps within each title category. Two major groupings of jobs will be considered. Faculty and other Instructional Staff and Non-Instructional Positions.

Cell 4.2 -- A workforce analysis is basic to the adequacy of any program, and forms the foundation from which the university develops its subsequent actions. The workforce analysis mandated by the EEO-6 will be utilized to categorize data.

Cell 4.3 -- The format is outlined for the utilization availability analysis.

Cell 5 -- Under Public Law 88-352, Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, all institutions of higher education both public and private that have 15 or more employees are required to keep records and to make reports biennially to the Equal Employment Opportunity Commission as are specified in the regulations of the commission.

In the interest of consistency, uniformity, and economy, the EEO-6 has been developed to meet most of the basic compliance reporting needs of various federal government agencies that have responsibility with respect to equal employment opportunity. The form (EEO-6) should also serve as a valuable tool for use by the institutions in evaluating their own programs for insuring equal employment opportunity. The filing is not voluntary. The Higher Education Reporting Committee administers this reporting system.

Cell 5.1 -- Categorizing of position levels by numbers.

Cell 5.2 -- Compiling of notebook of proof.

Cell 6 -- The Equal Opportunity Director determines and assigns work activities and data gathering assignments to the Equal Opportunity Staff. Because of the bulk of information which must be gathered in order to comply with the requests of the federal and state regulatory agencies, the work load must be divided in order to obtain maximum utilization of the staff interns working in the Equal Opportunity Office.

Cell 7.1 -- In order to be effective and efficient, it will be mandatory that EO policy statements be disseminated and documented. The means utilized shall include the following and shall be audited to be sure they are accurate.

a. A description of the program will be distributed to all university personnel through the faculty newspaper.

b. Reference to the Equal Opportunity Policy will be incorporated into all recruitment brochures, bulletins, and other related information and promotional literature.

c. Reference to the Equal Opportunity Policy will be made on all purchase orders, leases, and contracts.

d. Posters setting forth the equal opportunity policy and the name of the Equal Opportunity Director with a statement indicating that any general or individual policies and practices which may be discriminatory should be called to the attention of the Director; such posters will be on permanent display on bulletin boards in each campus building, and a record will be kept on the location of each so that posting can be monitored on a quarterly basis.

e. Reference to the Affirmative Action Program will be contained in the State Classified Handbook and the Academic Faculty and Administrative-

Professional Staff manual which will be made available to all new employees.

f. Articles and news releases to public media indicating the equal opportunity policy and providing progress reports toward goals will be prepared every six months. This report will include time tables, opportunities, and outcomes of decisions.

g. Progress reports toward achievement of equal opportunity goals will be made every six months to the Governing Board.

h. Each administrative unit in the University will maintain and make available to all who request to receive it a copy of the revised Affirmative Action Program of the University.

i. In-service programs will be established annually for all deans, directors, and department heads to review affirmative action procedures.

j. Copies of the university affirmative action program will be disseminated to those national offices which cooperate with the university in the recruitment effort.

Cell 7.2 -- Coding university classification to conform with availability categories and assigning common numbers so the computer can return utilization statistics on which to base goals and time tables.

Cell 8 -- Systems Analyst.

Cell 8.1 -- Analyze specifications for computer program.

Cell 8.2 -- Content of data files.

Cell 8.3 -- Determine how to organize data to comply with federal and state recording requirements.

Cell 9 -- Processed Data

Cell 9.1 -- Personnel data base determined.

Cell 10 -- Preliminary Computer Printout Analysis

Cell 10.1 -- The analysis of the computer printout data is analyzed by:

a. Equal Opportunity Director

b. Equal Opportunity Staff

c. Systems Analyst

d. Department of Health, Education, and Welfare Staff.

Cell 11 -- Meetings to include the following:

a. Equal Opportunity Director

b. Equal Opportunity Staff

c. Systems Analyst

d. Department of Health, Education, and Welfare

Cell 11.1 -- Review of all preliminary data.

Cell 11.2 -- Decide on a formal and consistent analysis procedure by which to set goals and time tables.

Cell 11.3 -- Identify present areas and levels of employment by ethnic group and by sex.

Cell 11.4 -- For each of the job groups for both faculty and non-instructional positions, a comparison will be made of the percentage of each minority and total women available in the appropriate recruiting area having requisite skills for the group compared. Whenever the percentage of such persons available in that job group is less than the percentage available within the applicable labor area, the affirmative action program must specifically state under-utilization exists in that group.

Cell 11.5 -- Submission of EEO-6 Reports to the Department of Health, Education, and Welfare

Cell 12 -- Final minority and female utilization analysis received

Cell 12.1 -- Discuss and decide on consistent interpretation of data by:

a. Equal Opportunity Director

b. Equal Opportunity Staff

c. Systems Analyst

d. Department of Health, Education, and Welfare Staff

Cell 13 -- For each of the job groups for both faculty and non-instructional positions, a comparison must be made of the percentage of each minority and total women available in the appropriate recruiting area that have requisite skills for the group compared. Whenever the percentage of such persons available in that job group is less than the percentage available within the applicable labor area, the affirmative action program must specifically state that under-utilization exists in that group.

In order to determine whether minorities and women are being under-utilized in job groups, the contractor will consider the following factors:

a. The minority and women population of the labor area surrounding facility.

b. The size of the minority and women unemployment force in the labor force in the labor area surrounding the facility.

c. The percentage of the minority and women work force as compared with the total work force in the immediate labor area.

d. The general availability of minorities and women having requisite skills in the immediate labor area.

e. The availability of minorities and women having requisite skills in an area in which the contractor can reasonably recruit.

f. The availability of promotable and transferable minorities and women within the contractor's organization.

g. The existence of training institutions capable of training persons in the requisite skills.

h. The degree of training which the contractor is reasonably able to undertake as a means of making all job classes available to minorities and women.

Where under-utilization exists and the increase in the number of persons in a group necessary to eliminate under-utilization is .5 persons or greater, each program must contain goals which satisfy each of the following requirements:

Ultimate Goals -- An ultimate goal must be established for each job group in which under-utilization exists and must be designed to correct the under-utilization by the application of every good faith effort. The ultimate goal must be stated as (a) a percentage of the total employee in the job group and must be equal to the percentage of minorities or women available for work in other job groups in the applicable labor market and (b) a whole number representing this total minorities and total women necessary to be employed to reach full utilization. A single goal for minorities for each job group is acceptable unless through the university's evaluation it is determined that one minority is under-utilized in a substantially disparent manner to other minority groups, in which separate goals and time tables for such minority groups may be required individually. It may further be required where appropriate that separate goals be established within the minority group by sex, or where statistically indicated male & female goals may be set.

Cell 13.1 -- By College

Cell 13.2 -- By Department

Cell 13.3 -- By Level of Assignment

Cell 14 -- a. The goals and time tables developed by the institution should be attainable in terms of the institution analysis of the deficiencies and the entire affirmative action program. Thus, in establishing the size of the goals and the length of the time tables, the institution should consider the results which could reasonably be expected from putting forth every good faith effort to make the overall affirmative action program work.

b. Involve personnel, staff, department, and division heads and local unit managers in the goal setting process.

c. Goals should be significant, measurable, and attainable.

d. Goals should be specific for planned results, with time tables for completion.

e. Goals may not be rigid and inflexible quotas which must be met, but must be targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire affirmative action program work.

f. In establishing time tables to meet goals and commitments, the contractor will consider the anticipated expansion, contractor, and turnover of and in the work force.

g. Goals, time tables, and affirmative action commitments must be designed to correct identifiable deficiencies.

h. Where deficiencies exist and where numbers or percentages are relevant in developing corrective action, the institution shall establish and set forth specific goals and time tables separately for minorities and women.

i. Such goals and time tables with supporting data and the analysis thereof should be a part of the institution's written affirmative action program and shall be maintained at each unit by the institution.

Goals and time tables should be prepared and sent to:

Cell 14.1 -- Appropriate Federal Agencies

Cell 14.2 -- Responsible University Officials

Cell 14.3 -- Administrators

Cell 14.4 -- Appropriate State Agencies

Cell 14.5 -- Appropriate Minority and Women's University Organizations.

Cell 15 -- Because availability of minorities or women is very low and the projected number of opportunities due to low turnover and lack of expansion for each year is limited, annual goals often result in small numbers. For each faculty and other instructional staff job group in which under-utilization exists, the university must project rate of hiring and/or promoting minorities and women until under-utilization is eliminated. These rates will be established for three-year periods unless special circumstances such as expectancy of high turnover and significant availability warrent the establishment of shorter term interim goals.

Cell 16 -- Public relations to gain acceptance of findings and remedial action

Cell 16.1 -- Minority and women's organizations

Cell 16.2 -- Deans

Cell 16.3 -- Department Heads

Cell 17 -- Dissemination of Information to the University by:

Cell 17.1 -- Equal Opportunity Director

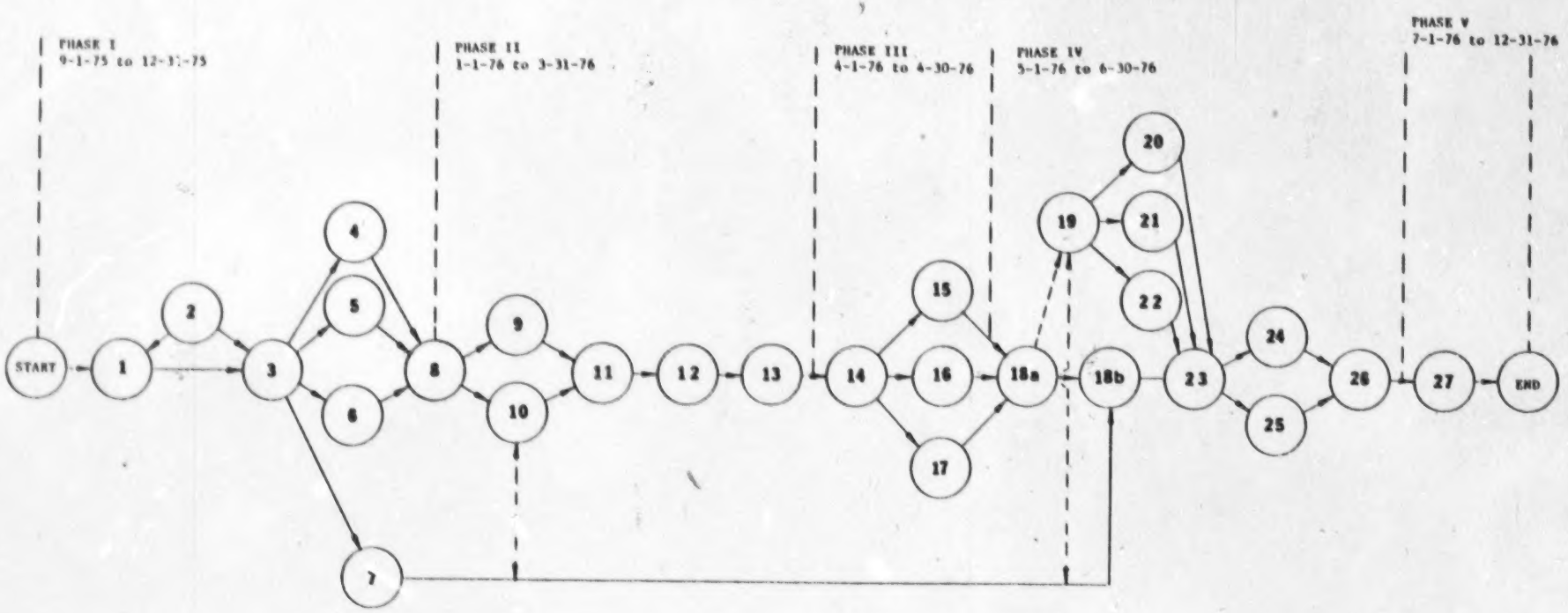
Cell 17.2 -- Office of Public Information

Cell 17.3 -- Instructional Faculty, Papers

Cell 17.4 -- Equal Opportunity Director's Six Month's Report

Cell 17.5 -- Equal Opportunity Director's Annual Report to the Governing Board.

IMPLEMENTATION OF A SYSTEM FOR GATHERING DATA FOR THE PURPOSE OF CONDUCTING AN AFFIRMATIVE ACTION UTILIZATION AVAILABILITY ANALYSIS AND SETTING OF GOALS AND TIME TABLES AT A LARGE UNIVERSITY



Documentation of PERT

1. Equal Opportunity Director organizes data gathering units.
2. Meeting with HEW officials to be informed of mandatory data gathering process.
3. Staff meeting to determine staff assignments.
4. EEO-6.
5. Work force analysis.
6. Utilization availability analysis.
7. Collect EO policy statements and document.
8. Coding
9. Systems Analyst
10. EO Director
11. Determine program for data processing. Data test base is determined.
12. Test printout run.
13. Printout is critiqued and program is finalized.
14. Finalize printout received.
15. HEW (representing OCR, EEOC)
16. OFCC, and DOL OEO
17. Director and Equal Opportunity Staff decide on consistent guidelines for data interpretation.

18a. Preparation of goals and time tables

18b. According to guidelines established dissemination to HEW.

19. Planning of Public Relations program to gain acceptance of findings and remedial action.
20. Public Relations with minorities' organizations.
21. Public Relations with Deans.
22. Public Relations with Department Heads.

23. Dissemination of information to university by Equal Opportunity Director.

24. Dissemination to Office of Public Instruction.

25. Disseminate to university faculty newspaper.

26. Prepare and publish findings in six month's report.

27. Prepare annual report to Governing Board.

Summary

This paper does not purport to be a definitive study in data gathering techniques for federal and state regulatory agencies but is a 'systems' approach for gathering data for the purpose of conducting an affirmative action utilization availability analysis and a systems approach to setting goals and time tables at a large university. The system is essentially for a large university setting but with certain alterations and modifications could easily be adapted to other types of educational institutions.

The section dealing with laws and orders germane to equal employment opportunity offers to the reader a modicum and synthesis of most o. the mandates, executive orders, and acts which offer guidelines and pertinent information to the lay reader.

The 'systems' and the PERT charts are not all encompassing because of the herculean nature of the processes but the essential details have been ellaborated upon to enable a further more detailed and in-depth study to be made if needed.

It is hoped through the preparation of this paper a basic understanding of the complexities which are involved when gathering data for federal and state regulatory agencies dealing with affirmative action will be realized. Perhaps in the future equal employment opportunities can truly become the "law of the land" not only on paper but will be practical in reality.

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